

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, May 22, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR  
KAREN GOODHUE, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
CLIFFORD W. FREITAS, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: MICHAEL D. KOEHS, CLERK

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Deputy Clerk James Gelios  
James VanTiflin, Township Engineer Director  
(Additional attendance on file at the Clerk's Office)

Supervisor DUNN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Deputy Clerk GELIOS called the roll and the Board of Trustees was present except for excused Clerk KOEHS.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items #7 and #5-A-1 were tabled to June 12, 2013, and item #5-D-6 was added to the Consent Agenda.

**MOTION by BUCCI seconded by GOODHUE to approve the agenda as amended.**

**MOTION carried.**

**APPROVAL OF THE BILLS**

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

**MOTION by NEVERS seconded by FREITAS to approve both bill runs as presented.**

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

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4. The minutes of the previous meeting held on May 8, 2013 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by GOODHUE seconded by FREITAS to approve the minutes of the meeting of May 8, 2013 as presented.**

**MOTION carried.**

**MOTION by GOODHUE seconded by NEVERS to approve the minutes of the Special Meeting of May 15, 2013 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

A. Clerk's Department:

1. Request to Approve Amendment and Extension of MUNIS Service Provider Agreement.  
*(Tabled to the meeting of June 12, 2013)*
2. Request to release Site Plan Bond Release; Insight Eyecare; Section 34.

B. Water and Sewer Department:

1. Easement Encroachment: Edinburgh Estates Subdivision No.2 Sidwell # 08-22-230-019.
2. Easement Encroachment: Twin River Subdivision No. 1 Sidwell # 08-33-375-001.
3. Request for Printing & Postage of the 2012 Water Connection.
4. Request Authorization to Pay SLC Meter Service Inc. for Stopboxes, Bushings and Union Compressions.

C. Facilities and Grounds Department:

1. Parks and Recreation Center Renovation.
2. Parks and Recreation Center Security Camera Upgrade.
3. Request to Seek Bids for Office Construction.

D. Human Resources Department

1. Approval of Position Description-Administrative Assistant.
2. Approval of Position Description-Elections Manager.
3. Approval of Position Description-Records Manager.
4. Approval of Revised Dress and Personal Appearance Policy.
5. Approval of Position Description-Township Engineer.
6. Approval of Leave of Absence – Fire Department

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E. Assessing Department:

1. Request for Training.
2. Request for Training.

Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

**MOTION by BUCCI seconded by FREITAS to approve the Consent Agenda as earlier amended.**

**MOTION carried.**

6. **Public Comments, Agenda Items Only**

None.

**OLD BUSINESS**

7. Discussion regarding sub-contracting SMART Transportation Service to Medstar.

*(Tabled to June 12, 2013)*

8. Request to Promote Employee #444 and #137.

**MOTION by BUCCI seconded by NEVERS to approve the promotion of Employee's #444 and #137 as requested.**

**MOTION carried.**

**NEW BUSINESS**

9. Request to Adopt an Eagle Scout Resolution; Jarred A. Tilton

Deputy Clerk James Gelios indicated Jarred Tilton is a Scout in Troop #248 who has received the Arrow of Light, has earned 33 Merit Badges, a Senior Patrol Head and librarian. Deputy Clerk Gelios, on behalf of the Board of Trustees, wished Jarred Tilton best wishes in his future endeavors.

**MOTION by KRZEMINSKI seconded by GOODHUE to adopt the following Resolution honoring Eagle Scout Jarred A. Tilton:**

## Resolution Honoring Eagle Scout

### *Jarred A. Tilton*

*At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 22<sup>nd</sup> day of May, 2013 at 7:00 PM the following preamble and resolution were offered by member KRZEMINSKI and supported by member GOODHUE:*

*Whereas, Jarred A. Tilton started his scouting career with Pack 145 during which time he received his Arrow of Light; and,*

*Whereas, Jarred A. Tilton continued his scouting career with Boy Scout Troop 248 where he has distinguished himself by earning thirty three merit badges; and,*

*Whereas, Jarred A. Tilton has earned numerous awards and served as Patrol Leader Assistant Senior Patrol Leader, Senior Patrol Leader, and Librarian; and,*

*Whereas, Jarred A. Tilton is a student at Mt. Clemens High School where he is a member of the Freshman Class and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers,*

*Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:*

*That By These Presents, the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Jarred A. Tilton has made to obtain the rank of Eagle Scout; and,*

*Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Jarred A. Tilton on his elevation to Eagle Scout and further extends its best wishes to Jarred in his future endeavors;*

*Now Therefore, the Macomb Township Board of Trustees hereby proclaims,*

Saturday, June 8, 2013

**Jarred A. Tilton Day**  
In Macomb Township

**AYES: Roger Krzeminski, Treasurer Karen M. Goodhue, Dino F. Bucci Jr., Clifford W. Freitas, Nancy Nevers and Supervisor Janet I. Dunn.**

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**NAYS: None**

**ABSENT: Clerk Michael D. Koehs**

**RESOLUTION PASSED.**

**MOTION carried.**

\_\_\_\_\_  
Janet I. Dunn, Supervisor

\_\_\_\_\_  
Michael D. Koehs, Clerk

10. Consideration of Resolution for Charitable Gaming Licenses.

Supervisor DUNN addressed this item with the Board, indicating Bravo Dance Center Parents Boosters are requesting to be recognized as a nonprofit organization in Macomb Township.

**MOTION by KRZEMINSKI seconded by FREITAS to adopt the resolution to recognize the Bravo Dance Center Parents Boosters as a nonprofit organization.**

**MACOMB TOWNSHIP, MICHIGAN  
RESOLUTION FOR CHARITABLE GAMING LICENSES**

At a regularly scheduled meeting of the Macomb Township Board of Trustees called to order by Janet I. Dunn on Wednesday, May 22, 2013 at 7:00 p.m. the following resolution was offered:

Motion by KRZEMINSKI and supported by FREITAS that the request from the Bravo Dance Center Parent Boosters of Macomb Township, Macomb County, asking that they be recognized as a nonprofit organization operating in the community for the purposes of obtaining a charitable gaming license, be considered for approval.

**AYES: Roger Krzeminski, Clifford W. Freitas, Dino F. Bucci Jr., Treasurer Karen M. Goodhue, Nancy Nevers, and Supervisor Janet I. Dunn.**

**NAYS: None**

**ABSENT: Clerk Michael D. Koehs**

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This is to certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Macomb Township Board of Trustees at a regular meeting held on Wednesday, May 22, 2013.

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Signed:

\_\_\_\_\_  
Michael D. Koehs, Macomb Township Clerk  
54111 Broughton Road, Macomb, MI 48042

**RESOLUTION PASSED.**

**MOTION carried.**

11. Request to Continue Macomb County Sheriff Department Liaison Officer for Dakota High School.

**MOTION by BUCCI seconded by GOODHUE to approve the continuance of the Macomb County Sheriff Department Liaison Officer for Dakota High School.**

**MOTION carried.**

12. Freedom of Information Act (FOIA) Appeal.

Legal Counsel Larry Dloski addressed this item with the Board, indicating due to recent Supreme Court rulings, addresses and telephone numbers that the petitioner requested could not be released due to invasion of privacy provisions in the law.

Petitioner Thomas McEvoy was present and disagreed with the law.

**MOTION by BUCCI seconded by KRZEMINSKI to DENY the Freedom of Information Act (FOIA) Appeal as presented.**

**MOTION carried.**

13. Request to Approve Proposed Settlement for Leone Architectural Fee.

Legal Counsel Larry Dloski addressed this item with the Board, recommending approval of the proposed settlement.

**MOTION by KRZEMINSKI seconded by GOODHUE to approve the Proposed Settlement for Leone Architectural Fee.**

**MOTION carried.**

14. Consideration of Agency Specific Schedule (MT-1 Amendment #8)

Charles Pierce, Records Manager, addressed this item in detail and informed the Board after an audit of our own retention schedule and the state approved schedule, Items that failed to be included such as E-mails, files and Municipal work of a general nature by adopting this Agency Specific Schedule will incorporate all the items and will allow every department in the township to get rid of these items in a timely fashion.

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**MOTION by KRZEMINSKI seconded by NEVERS to approve the Agency Specific Schedule (MT-1 Amendment #8) as presented.**

**MOTION carried.**

15. Consideration of Pre-Liquor License Qualification for Fusion Restaurant-Section 34.

Charles Pierce, Records Manager, addressed this item in detail with the Board stating the Pre-Qualification Liquor License is the first step in the process. The next step is to submit a Special Land Use application for review by Departments and approval from the Township.

**MOTION by NEVERS seconded by FREITAS to approve the Pre-Liquor License Qualification for Fusion Restaurant-Section 34 as presented.**

**MOTION carried.**

16. Request Authorization for Legal to Defend; 13-1905-CC County of Macomb v. Allen H. Vigneron et. Al.

Legal Counsel Larry Dloski addressed this item with the Board.

**MOTION by KRZEMINSKI seconded by GOODHUE to approve the authorization of Legal Counsel to Defend; 13-1905-CC County of Macomb v. Allen H. Vigneron et. Al.**

**MOTION carried.**

17. Request Approval of Cost Sharing Agreement; 41A District Court.

Legal Counsel Larry Dloski addressed this item with the Board.

**MOTION by KRZEMINSKI seconded by FREITAS to approve the Cost Sharing Agreement; 41A District Court, with copies sent to the appropriate officials.**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT**

18. Request Approval to Pay Engineer's Payment Certificate No. 12 (Final); Sanitary Pump Station No. 2 Replacement: 21 Mile Road and North Avenue SDA Job No. MA08-015.

Gerry Wangelin, Water and Sewer Superintendant, requested the Final Engineering Payment Certificate to Dan's Excavating for Sanitary Pump Station No. 2 in the amount of Ten Thousand Dollars (\$10,000.00).

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**MOTION by BUCCI seconded by FREITAS to approve the payment Certificate No. 12 (Final); Sanitary Pump Station No. 2 Replacement: 21 Mile Road and North Avenue SDA Job No. MA08-015 in the amount of Ten Thousand Dollars, (\$10,000.00).**

**MOTION carried.**

**INFORMATION TECHNOLOGY DEPARTMENT**

19. Request to Purchase Dry Fire Suppressant System for Server Room.

Bob Ivanovski, I. T. Manager, addressed this item with the Board, recommending Vanguard for this job for the amount of Eight Thousand Six Hundred Seventy Five Dollars (\$8,675.00).

**MOTION by GOODHUE seconded by NEVERS to approve the Purchase from Van Guard for a Dry Fire Suppressant System for the Server Room in the amount of Eight Thousand Six Hundred Seventy Five Dollars, (\$8,675.00).**

**MOTION carried.**

**Public Comments, Non-Agenda Items Only - (3 minute time limit)**

Debra Ryle and Lakesha Davenport both Dial-A-Ride Drivers addressed the Board regarding the Dial a Ride program and mentioned how pleased the residents are with the program.

**BOARD COMMENTS**

20. Supervisor Comments

Supervisor Dunn mentioned that Waste Management will be observing the Memorial Day Holiday so garbage pickup will be delayed one day and wished everyone a Happy and safe Memorial Day.

Supervisor DUNN indicated two businesses are requesting approval for additional days for their Special Event, Fiat of Lakeside is requesting 6-day event and ABC Warehouse is requesting 7-day event.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the special event permits for Fiat of Lakeside for one additional day and ABC Warehouse for two additional days.**

**MOTION carried.**

21. Clerk Comments

None



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22. Treasurer Comments

Treasurer GOODHUE cancelled the special workshop scheduled for May 29<sup>th</sup>, 2013. Trustee KRZEMINSKI indicated he would like to then add a special meeting at the end of the Budget meeting May 29<sup>th</sup>, 2013 for Naming rights for the Athletic Fields.

**MOTION by KRZEMINSKI seconded by NEVERS to add the special meeting for naming rights for athletic fields to the May 29, 2013 meeting.**

**MOTION carried.**

23. Trustees Comments

Trustee NEVERS indicated Shelby Township contacted her and indicated they no longer had room for a memorial bench dedicated to Alex Knapp, a fallen hero, and asked if we wanted to take possession of the bench.

**MOTION by GOODHUE seconded by FREITAS to take possession of the memorial bench for Alex Knapp from Shelby Township.**

**MOTION carried.**

Trustee KRZEMINSKI also thanked veterans for their service concerning the Memorial Day holiday.

**MOTION by BUCCI seconded by GOODHUE to adjourn to Executive Session at 7:42 p.m.**

**MOTION carried.**

*The Board returned to regular session at 8:23 p.m.*

**EXECUTIVE SESSION**

24. Attorney Update Regarding Arbitration and related Claims with Employee #362.

**Informational Only-No action taken.**

25. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Docket No. 416449, Parcel No. 08-23-451-002 and 08-23-451-003.

**MOTION by BUCCI seconded by FREITAS to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

26. Proposed Settlement of 2011 through 2013 MI Tax Tribunal Appeal; Docket No. 416751. Parcel No. 08-32-476-009.

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**MOTION by BUCCI seconded by GOODHUE to authorize Legal Counsel to sign the Consent Judgment.**

**MOTION carried.**

27. Proposed Consent Judgment for 13-610-CZ; M& C Limited of Utica.  
**Informational Only-No action taken.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by FREITAS to adjourn the Board meeting at 8:25 p.m.**

**MOTION carried.**

Respectfully submitted,

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Janet I. Dunn  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk